A TRUE

NARRATIVE

OF THE

TRYALS

OF

Titus Oats

FOR

PERJURY

AT THE

Kings-Bench-Barr

AT

WESTMINSTER.

On *Friday* and *Saturday* the 8*th* and 9*th* Days of this preſent *May*, 1685.

WHereas *Titus Oats* was Tryed on *Friday* the 8th. of this Inſtant *May* for *Perjury* and Convicted thereof: He likewiſe was brought to his ſecond Tryal for *Perjury* on *Saturday* the 9th. of this Inſtant *May*, of which, I ſhall give the *Reader* an exact Account as they were in Order, beginning with the Tryal of *Friday* firſt: The manner thus,

About Nine of the Clock in the Forenoon the Court Sat, where was the Right Honourable Sir *George Jefferies* Knt. and Bar. Lord Chief Juſtice of *England*, Judge *Withens*, Judge *Holloway*, &c. Being on the Bench and the Jury called, *Oats* excepted againſt ſome of them, for being of the Grand Jury when the Indictment was found and it was admitted for a juſt Bar; then the Indictment was read in *Latin* and *Engliſh*, the ſubſtance of which was, that whereas *Titus Oats* had Sworn and cauſed to be put to Death ſeveral Perſons, namely the Five *Jeſuits*, *Pickring*, *Groves*, and *Ireland*, &c. He Swore that he was at a Conſult at the *White-Horſe Tavern* in the *Strand*, where he being preſent, and carrying the Papers, in which the Death of King *Charles* the Second of Bleſſed Memory, was ſigned from one Chamber to another, where he ſaid they all unanimouſly Signed the Kings Death on the 24th. of *April*, *Anno Dom.* 1678. The Falſitie of which was proved by theſe following Evidence, *&c.* being all Perſons of Quality and Eſtates who hapned to be Students at St. *Omers* at that time that *Oats* was there. Firſt, Mr. *Hillſley* depoſed that he came from St. *Omers* the very day that Mr. *Oats* pretended that the Conſult was in the *Strand*, and that he left Mr. *Oats* there; and whereas *Oats* had formerly Sworn that he came over with *Hilſley*: *Hillſley* Swore he did not ſee him all the way: Then Mr. *Barnaby* Swore that he met Mr. *Hillſley* by the way, and he ſaw not *Oats* with him, and that going on to St. *Omers*, and Arriving there, within two days after he had met Mr. *Hillſley* in Kent, he found Mr. *Oats* at St. *Omers*, ſo that he poſſibly could not be here in *London*; all the reſt of the Witneſſes for the King, Swore that *Oats* coming to St. *Omers* about *December* 1677. never was to their knowledge out of their Seminory till the Mid Summer 1678. But one Night which was at *Watton*, a place about two Leagues from St. *Omers*, and they ſaw him every day either at Meat or Play, and that he was ſo remarkable for his odd Carriage, that they took particular notice of him, eſpecially he ſitting at a particular Table, and not among

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the Boys, by reaſon of his Age. This was atteſted by above 20 Witneſſes, *viz.* Lord *Gerrard Bromely* —*Gerrard* Eſq; —*Haggerſton* Eſq; —*VVright* Eſq; —*Price* Eſq; Mr. *Arundel*, —*Turbervil* Eſq; —*Thornton* Eſq; —*Pool* Eſq; Mr. *Dorrel* and one Mr. *Morgan*, one that was then a Papiſt, but is now a Church of *England* Miniſter, *&c.*

Mr. *Oats*'s Queſtions put to them, was, what Religion they were of, and how long they were there, and what they did there; and offered to ask ſome things, which was, as my *Lord Chief Juſtice* told him, not proper nor fit for them to anſwer, becauſe of Penal Statutes againſt *Papiſts*: He behaved himſelf with his wonted Confidence, and ſeemed to have more Braſs in his Face than ever; but my *Lord Chief Juſtice* kept him within his Bounds, and gave him all the fair play immaginable; before he began his particular Defence; he made a long canting Harangue how he had been believed by Parliaments, and how ſeveral Judges had ſpoke formerly of him, and particularly my *Lord Chief Juſtice*; all which being not admitted as Evidence, he was directed by the Court, to prove his being here in *April* the 24th 79. he produced one Mrs. *Cicely Majo*; who Swore that about that time ſhe ſaw him in a Diſguiſe at Sir *Richard Barkers* Houſe: He having on a Gray Hat, no Hair, a pitiful Gray Sute. Sir *Robert*'s Coach-man, ſwore he ſaw him there in a black hat, a long Black Perriwig and a Cinnamon Sute; beſides they diſagreed in ſeveral things, and ſo they being but otherwiſe deſpicable People, their Evidence was looked upon as nothing worth; and they contradicted *Oats*'s own Teſtimony, for he ſwore he was back at St. *Omers* in the beginning of *May*, and my *Lord Chief Juſtice* asked *Oats* where he Lodged when he pretended to be here in *April* and the beginning of *May*, that he might produce the People of the houſe to be Evidence for his being here; but he ſhuffled and would Aſſign none, which was look'd on by all as a clear Conviction. After this, Mr. *Oats* to make a Noiſe cauſed to be called many great Names to ſhew what Authority his Evidence once had, *viz.* my Lord *Devonſhire*, my Lord *Clay*, who ſaid it was ſo long ſince, that they could give ſmall Account of it; my Lord *Huntingdon* ſaid it is true, he once believed ſomething which he ſwore, but he did now on his Conſcience believe him to be an errant Rogue, and a ſpiller of Innocent Blood.

My Lord Barron *Montague* being called by *Oats*, he gave him a ſlender Character, and that formerly he did not hear him.

Mr. *VVilliams*, Speaker of the *Houſe of Commons*, Sir *George Treby* were called, but ſaid little or nothing.

After Mr. *Oats* had done with his Evidence, Mr. *Attorney General* brought in more Evidence for the King, ſome to prove others to Coroberate. The Witneſſes to prove were firſt Sir *George VVakeman*, who was formerly quitted at the *Old-Bayly*: After Sir *George* was ſworn he was asked by Court with what Mr. *Oats* had formerly ſworn againſt him, *viz.* of taking 15co *l.* to poyſon the King; and he anſwered by Virtue of the Oath he had taken, it was all falſe. My Lord *Caſtlemain* atteſted the ſame as to the Treaſon *Oats* had formerly Charged him with: then one Mr. *Smith*, formerly Schoolmaſter in *Iſlington* was produced, and it was proved that he confeſſed himſelf Perjured in favor of *Oats*'s Teſtimony in the Tryal of the five Jeſuits being induced by Fear and Gain.

The ſame was proved upon one Mr. *Clay*, who was induced by threats and promiſes of *Oats* and Sir *VVilliam VValler*, this was proved by one *Davenport* a Keeper of the Goal who heard him threaten *Clay* with Death, unleſs he would ſecond his Evidence, and he being an Old Weak Man, was drawn in: After the Evidence on both ſides had made an end, My *Lord Chief Juſtice* told the Priſoner he had free Liberty to make what Exceptions he pleaſed, Who then began a long and Malapart harangue, the chief drift of which, was to prove the Papiſts ought not to be Credited becauſe they were Papiſts, and for this produced ſome Records and Statutes.

And to this he was anſwered by my *Lord Chief Juſtice*, that by the ſame Reaſon all the Diſſenters from the Church of *England* ought to be excepted, and that it was impoſſible at that Rate that any man ſhould have Right done him.

Oats was for the moſt part all along his ſpeech Impertinent and Saucy, ſo that my Lord threatned to turn him out of the Court, and after he had ſpent ſomething more than half an hours time he withdrew of himſelf, and went out of the Hall, with his Guards a long with him; as he came towards the middle of the Hall, the People began to Shout, and ſo Shouted him quite out of the *Hall*.

After a little ſpace of Silence, the Solicitor General began to ſum up the whole, and continued for three quarters of an hour. When he had done, My Lord *Chief Juſtice* began a moſt Eloquent and Emphatical Speech.

Amongſt other things, telling the Jury, that this was a Cauſe that the *Honour* of the whole Nation was concerned in, not to let a perſon ſo publickly infamous, eſcape Juſtice. That he was a perſon of an hardned impudence and Conſcience, and not worthy of the Name of the Church of *England*, that he was Guilty of ſpilling Innocent Blood, and had

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ſpared no perſon though never ſo nearly related to the Crown: And after he had exactly and particularly Summed up all the Witneſſes on both ſides: *He* concluded with theſe Words, *That he was* the *Blackeſt Villain upon* the *Face of* the Earth.

As theſe Prodigious Crimes do plainly manifeſt to every unprejudiced Perſon.

The ſpeech being ended, the Jury withdrew, and after a certain ſpace of time returned again, and brought h m in Guilty of the Indictment.

The Second Tryal of *Titus Oats* for *Perjury*, in the Pretended *Popiſh* Plot.

THe *Quondam Salamanca* Doctor, being on *Friday* the 8*th*. of *May* Convicted of *Perjury* in Buſineſs relating to the pretended Conſult at the *White-horſe-Tavern* in the *Strand*, was on *Saturday* the 9*th*. Convicted of moſt Infamouſly and Maliciouſly forſwearing himſelf in the Tryal of *Ireland* the Jeſuit: The manner of the Proceedings was in this manner.

About Eight of the Clock on *Saturday* Morning, being the 9th. of this preſent Month of *May* (*Anno Dom.* 1685.) the Court being ſat, my *Lord Chief Juſtice*, Judge *Withens*, *Walcot*, *Holloway*, &c. being on the Bench, the Jury was called and none accepted againſt; *Oats* asking if any had been o the Grand Jury which was admitted for a Barr yeſterday; then they being Sworn, the Indictment (which was very long) was read in Engliſh, only the Subſtance of it was, that *Oats* had Sworn in the Tryal of *Ireland*, that he was with him at a Treacherous Conſult, ſome day betwixt the 8th. and 12th. of *Auguſt*, *Anno Dom.* 1678. and that afterwards he ſaid he was with him upon the ſame Account the 1*ſt*. or 2*d*. of *September*, all which was notoriouſly falſe as appeared by the following Evidence,

After the Indictment was read, Mr. *Phips* in ſhort opened it, and then one Mr. *Waterhouſe* formerly a Jurior in *Irelands* Tryal, and one Mr. *Harriot* a Jurior in the Tryal of the Five *Jeſuites* were called to prove that Mr *Oats* had formerly been poſitive to thoſe days: After this the Kings Council began to mannage the Evidence for the King; firſt were ſworn Mrs. *Anne* and Mrs. *Elenor Ireland*, the one the Mother and the other the Siſter of the abovenamed Mr. *William Ireland*, and they ſwore poſitively they took their leave of him on the 3*d*. of *Auguſt* in the year abovenamed at his Lodging in *Ruſſel-ſtreet*, and that he went for *Staffordſhire* and did not come back till the 14*th*. of *September* following; this was back'd by the Oaths of Mrs *Duddell* and Mrs, *Quino*. who ſaw him Booted and took leave of him for his Journey, being the 3*d*. of *Auguſt*; that Night he came to my Lord *Aſtons* houſe at *Standon* in *Hartford ſhire*; this was atteſted by my Lord *Aſton* himſelf, and Sir *Edward Southcote* who ſaw him there; this being *Saturday*: On the *Monday* following in the Company of my Lord *Aſton* and Sir *Edward Southcote* and their Servants, &c. they went from St. *Albans* to *Northampton*, and on the *Tueſday* to *Coventry* and *Wedneſday* to *Tixal*, my Lord *Aſtons* Houſe in *Staffordſhire*, where he ſtay'd till 12th. of *Auguſt*, then he went to *W infreds* Well in *Flintſhire* and came back in ſome of the ſame Company to *Tixal* the 17th. of *Auguſt* as was proved by ſeveral Witneſſes; one Mr. *Harriſon* brought a Note of every day, and Swore he Conducted him to his Lodging in *Ruſſel-ſtreet* the 14th. of *September* following; Mr. *Hobſon* jump'd with him in every thing as to the Journey, and Swore he ſaw him at *Tixal* the 26th. of *Auguſt*; the Journey down from St. *Albans* to *Tixal*, was likewiſe proved by one Mr. *Inglethorp*, who was in their Company all the way, and is a good Proteſtant.

Mr. *Andrew Wet*, a Proteſtant likewiſe proved Mr. *Irelands* ~~Journey to *Holliwel*~~: *Thomas Sawyer* ſwore the ſame as to Mr. *Ireland's* going for *Holliwel* in *Flint ſhire*, a Proteſtant likewiſe.

Mrs. *Allen* ſwore Mr. *Ireland* came to *Tixall* the 8*th*. of *Auguſt*, and ſtayed ſome Three days, ſhe is likewiſe a Proteſtant.

Mrs. *Jane Harwel* ſwore ſhe ſaw him at *Woolverhampton* the 17*th*. of *Auguſt* and he lay there till the 26*th*. of the ſame month; this was back'd by the Teſtemony of Mr *Ruſton*: Mrs *VVingfield* ſwore ſhe ſaw him in *Stafford-ſhire* the 18*th*. 19*th*. 20*th*. 21*ſt*. and 22*d*. of *Auguſt*.

Mr. *VVilliam Stanly* ſwore he ſaw him the 18*th*. and 22*d*. of *Auguſt*. Mrs *Dorothy Purcel* ſwore to the 18*th*. 19*th*. 20*th*. and 23*d*, of *Auguſt*; this was back'd by the Evidence of one Mr. *Scot*..

Mr. *William Stamfield* a Proteſtant ſaw him the 17*th*. of *Auguſt*: Mrs *Cathrine Fowler* ſwore to the 17*th* that ſhe ſaw him at *VVolverhampton*, and ſhe ſaw him there every day till the 26*th*. of *Auguſt*. Mrs. *Eliz. Gifford* ſwore much what the ſame, as likwiſe Mrs. *Keeling*, but beſides

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ſhe ſaw him in *Stafford-ſhire* the 4 *th*: of *September*. Mr. *Richardſon* the ſame, a Proteſtant.

Mrs. *Greaves* ſaw him there the 20, 22, 23, and 25. and Supp'd with him; ſhe declared to the Court (being asked) that he was a Proteſtant.

Sr. *Thomas VVhitgraave* a Juſtice of Peace, ſwore he ſaw him on the *Bowling-Green* at *Tixal* the 29 *th*. of *Auguſt*: Mr. *Fowler* ſaw him at a Horſe Race the 27 *th*. of *Auguſt*. Mr. *Howel* ſwore to the 27 and 28. Mr. *Dixon* to the 27 and 31 and the 1 *ſt*. of *September*. Sr *James Simons* ſwore to the 27 at the Horſe Race, where he ſaw him, as alſo the 29 *th*. Mr. *Green* ſwore to the 27 29 and 31. Mr. *Follas* a Proteſtant ſwore to the 29. Mr. *Preſtar* a proteſtant, ſwore he ſaw him at *Hilderſham* the 1 *ſt*. of *September*. Mr. *King* ſwore he ſaw him the 1 *ſt* of *September* at *Hilderſham*, and the 2 *d*. at Mrs. *Crompton's* [illegible] *Oats* ſwore he was *with* Ireland *at* London (this was back'd by the Evidence of Mr. *Lee*. Mr *Biddle* or *Bedal* ſwore to the 2 *d*. of *September*, and Mrs. *Crompton*, Mr. *Palye* and Mr *Holms* ſwore to the 1 *ſt*. of *September*. Mr. *Gifford* to the 2 *d*. of the ame month where he ſaw him at *Pancradge Fayer*. Mr. *William Pendril* ſwore he was at his houſe the 4 *th*. of *September*. Mrs. *Mary Pendril* ſwore to the 3 *d*. and 4 *th* of the ſame month. Mr. *John Southwell* and ſeveral others, ſwore they came with him from *Tixal* on the 9 *th*. of *September*, to a place in *Surry* belonging to Sr. — *Southcote* and that they Arrived there the 13 *th*. of *September*, never coming near *London* all the Way, ſo that it was impoſſible he ſhould have been in *London* in *Oats* his time as he ſwore to, for he came not there till the 14 *th*. all theſe gave Circumſtances to prove the days: The Queſtion *Oats* put them was what Religon and whether they had been formerly Wineſſes in former Tryals; nothing to the purpoſe: After the Kings Council had done (for they thought they had enough and were ready if Occaſion to call for more) *Oats* began his Defence, which was much ſuch another Cant as Yeſterday, *viz*. He had formerly been beleived, and that the Witneſſes were moſt of them Papiſts; then he began his particular Defence, and firſt called Sr. *Edmond VVarcup*, who could ſay nothing to his advantage but diſadvantage; then one who was called by the Name of *Sarah Pain*, appeared, but ſhe ſaid ſhe was not the Woman her Name was *Bain*, and ſhe knew nothing of the matter, neither had ſhe formerly given Evidence, and deſired ſomething for her Journey, *Oats* ſaid he would take care of her ſince he had ſubpæned her from *Uxbridge*: Then *Oats* called ſeveral other Witneſſes, but none appeared; then he complained that Mr. *Jennerſon* was not there ſince he was ſubpæned, and inſiſted much upon Mr. *Bedlow's* Dying Evidence and asked the Court, why not theſe Proceedings againſt him before? After he had made what pitiful Defence he could, Mr Sollicetor General ſum'd up the Evidence and anſwered every one of his trifling Objections, and told him the reaſon why this was not done ſooner, was becauſe of the unequity of the times and the Packing of Jurys and *VVhigg Sheriffs*. Then my Lord Chief Juſtice *Jefferirs* made a moſt excellent warm Loyal ſpeech, enlarging much upon what Mr. Sollicetor had, and anſwered an Objection of *Oats's* about the nicity of time, in the example of *Suſanna*; after he had ended his ſpeech and run over the heads of the Evidence, the Jury went out and within a Quarter of an hour, brought him in Guilty of the Indictment. *Oats* behaved himſelf with great Impudence, and abuſed my Lord Chief Juſtice's his Patience; he went away a great while (by leave of the Court) before the Virdict, as he did yeſterday, and met every where the ſame Welcome he did yeſterday, the hooting and hiſſing of the People: his Sentence will not be given theſe 5 or 6 nays.

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